

Remarks

In response to the Notice of Allowance and Fee(s) Due mailed June 16, 2008, and particularly to the Examiner's Amendment attached thereto, Applicants respectfully request that the claims be amended as shown above.

Applicants filed a previous RCE on May 21, 2008 (the "Previous RCE"), that included a number of amendments to certain claims. After the mailing of the RCE, Applicants' attorney, Chad D. Terrell, participated in a telephone interview with the Examiner on June 3, 2008, and agreed to certain additional claim amendments. The Examiner then issued the June 16, 2008 Notice of Allowance and the accompanying Examiner's Amendment. The Examiner's Amendment included errors in indicating the amendments to which Applicants agreed during the June 3rd telephone interview, and in indicating the amendments relative to the amendments presented in the Previous RCE. Applicants respectfully submit that an amendment under 37 C.F.R. § 1.312 would have been inadequate to address the inaccuracies of the Examiner's amendment, particularly due to the errors in indicating the amendments relative to the amendments presented in Applicants' Previous RCE.

The amendments shown above reflect what Applicants believe to be the amendments to which they agreed on the June 3rd telephone call with the Examiner and correctly show the amendments relative to the amended claims presented in the Previous RCE (i.e., on the assumption that the amendments presented in the Previous RCE were appropriately entered by the Examiner). In other words, Applicants believe these amendments should replace the amendments shown in the Examiner's Amendment mailed with the June 16 Notice of Allowance.

Applicants discussed this issue with the Examiner and submitted by fax to the Examiner a replacement version of the Examiner's Amendments showing the above amendments. The Examiner stated that he would enter a Supplemental Examiner's Amendment to replace the Examiner's Amendment that accompanied the Notice of Allowance. To date, this Supplemental Examiner's Amendment has not been mailed (see attached copy of Transaction History retrieved from PAIR on September 16, 2008). Since

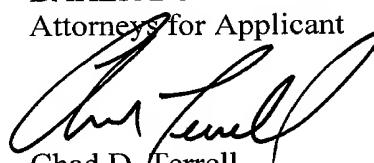
the Issue Fee is due today, Applicants file this RCE to have the appropriate amendments entered in this case and to avoid abandonment of the Application.

Prosecution in this Application is closed due to the mailing of the Notice of Allowance on June 16, 2008, and the issue fee has not been paid. Therefore, pursuant to 37 C.F.R. §§ 1.114(a) and (b), and in light of the accompanying submission, Applicants request that this RCE be entered by the Examiner.

Applicants respectfully request full allowance of all pending claims. If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Chad D. Terrell, Attorney for Applicant, at the Examiner's convenience at (214) 953-6813. As indicated on the accompanying RCE Transmittal form, the Commissioner is hereby authorized to charge the RCE fee of \$810.00 to Deposit Account No. 02-02384 of Baker Botts L.L.P. Additionally, although Applicant believes no other fees are due, the Commissioner is hereby authorized to charge any necessary additional fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant



Chad D. Terrell
Reg. No. 52,279

Date: September 16, 2008

CORRESPONDENCE ADDRESS:

Customer No. **05073**

Transaction History

Date	Transaction Description
06-17-2008	Electronic Review
06-16-2008	Email Notification
06-16-2008	Email Notification
06-16-2008	Mail Examiner's Amendment
06-16-2008	Mail Notice of Allowance
06-10-2008	Document Verification
06-10-2008	Notice of Allowance Data Verification Completed
06-10-2008	Case Docketed to Examiner in GAU
06-10-2008	Examiner's Amendment Communication
05-21-2008	Information Disclosure Statement considered
06-02-2008	Date Forwarded to Examiner
06-02-2008	Date Forwarded to Examiner
05-21-2008	Request for Continued Examination (RCE)
06-02-2008	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
05-21-2008	Response to Reasons for Allowance
05-21-2008	Information Disclosure Statement (IDS) Filed
05-21-2008	Workflow - Request for RCE - Begin
04-22-2008	Electronic Review
04-21-2008	Email Notification
04-21-2008	Mail Notice of Allowance
04-15-2008	Document Verification
04-15-2008	Notice of Allowance Data Verification Completed
03-31-2008	Examiner Interview Summary Record (PTOL - 413)
04-01-2008	Date Forwarded to Examiner
04-03-2008	Mail Appeals conf. Reopen Prosec.
03-31-2008	Pre-Appeals Conference Decision - Reopen Prosecution
03-11-2008	Request for Pre-Appeal Conference Filed
03-11-2008	Notice of Appeal Filed
03-11-2008	Request for Extension of Time - Granted
01-10-2008	Email Notification
01-10-2008	Mail Advisory Action (PTOL - 303)
01-07-2008	Advisory Action (PTOL-303)
01-09-2008	Mail Advisory Action (PTOL - 303)
01-04-2008	Advisory Action (PTOL-303)
12-27-2007	Date Forwarded to Examiner
12-11-2007	Amendment after Final Rejection
10-12-2007	Electronic Review
10-11-2007	Email Notification
10-11-2007	Mail Final Rejection (PTOL - 326)
10-01-2007	Final Rejection
08-24-2007	Information Disclosure Statement considered
07-12-2007	Information Disclosure Statement considered
05-07-2007	Information Disclosure Statement considered
08-24-2007	Information Disclosure Statement (IDS) Filed
08-24-2007	Information Disclosure Statement (IDS) Filed

07-12-2007 Information Disclosure Statement (IDS) Filed
07-24-2007 Date Forwarded to Examiner
07-11-2007 Response after Non-Final Action
07-12-2007 Information Disclosure Statement (IDS) Filed
07-12-2007 Information Disclosure Statement (IDS) Filed
05-07-2007 Information Disclosure Statement (IDS) Filed
05-07-2007 Reference capture on IDS
05-07-2007 Information Disclosure Statement (IDS) Filed
04-13-2007 Electronic Review
04-12-2007 Email Notification
04-11-2007 Mail Non-Final Rejection
04-02-2007 Non-Final Rejection
03-27-2007 Information Disclosure Statement considered
03-27-2007 Electronic Information Disclosure Statement
03-27-2007 Information Disclosure Statement (IDS) Filed
01-04-2007 Information Disclosure Statement considered
01-16-2007 Information Disclosure Statement considered
01-16-2007 Reference capture on IDS
01-04-2007 Reference capture on IDS
01-16-2007 Information Disclosure Statement (IDS) Filed
01-16-2007 Information Disclosure Statement (IDS) Filed
01-04-2007 Information Disclosure Statement (IDS) Filed
01-04-2007 Information Disclosure Statement (IDS) Filed
01-22-2007 Date Forwarded to Examiner
12-28-2006 Response after Non-Final Action
09-28-2006 Mail Non-Final Rejection
09-24-2006 Non-Final Rejection
08-09-2006 Information Disclosure Statement considered
08-23-2006 Date Forwarded to Examiner
08-09-2006 Request for Continued Examination (RCE)
08-23-2006 DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
08-09-2006 Reference capture on IDS
08-09-2006 Information Disclosure Statement (IDS) Filed
08-09-2006 Information Disclosure Statement (IDS) Filed
08-14-2006 Mail-Record Petition Decision of Granted to Withdraw from Issue - with assigned Patent NO.
08-14-2006 Withdrawal Patent Case from Issue
08-09-2006 Petition Entered
08-09-2006 Workflow - Request for RCE - Begin
07-26-2006 Issue Notification Mailed
08-15-2006 Patent Issue Date Used in PTA Calculation
07-13-2006 Dispatch to FDC
06-27-2006 Application Is Considered Ready for Issue
06-23-2006 Issue Fee Payment Verified
06-02-2006 Mail Notice of Allowance
06-01-2006 Notice of Allowance Data Verification Completed
05-27-2006 Date Forwarded to Examiner
05-17-2006 Response after Non-Final Action
02-17-2006 Mail Non-Final Rejection

02-06-2006 Non-Final Rejection
11-18-2005 Information Disclosure Statement considered
11-30-2005 Date Forwarded to Examiner
11-30-2005 Date Forwarded to Examiner
11-30-2005 Date Forwarded to Examiner
11-18-2005 Request for Continued Examination (RCE)
11-30-2005 DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
11-18-2005 Reference capture on IDS
11-18-2005 Information Disclosure Statement (IDS) Filed
11-18-2005 Information Disclosure Statement (IDS) Filed
11-18-2005 Workflow - Request for RCE - Begin
11-07-2005 Correspondence Address Change
11-07-2005 Change in Power of Attorney (May Include Associate POA)
11-03-2005 Mail Advisory Action (PTOL - 303)
10-31-2005 Advisory Action (PTOL-303)
10-21-2005 Date Forwarded to Examiner
09-20-2005 Amendment after Final Rejection
09-20-2005 Request for Extension of Time - Granted
06-13-2005 Request for Refund
05-20-2005 Mail Final Rejection (PTOL - 326)
05-16-2005 Final Rejection
03-14-2005 Date Forwarded to Examiner
12-13-2004 Response after Non-Final Action
12-13-2004 Request for Extension of Time - Granted
02-11-2005 IFW TSS Processing by Tech Center Complete
10-06-2004 Case Docketed to Examiner in GAU
08-27-2004 Workflow incoming amendment IFW
02-27-2004 Mail Non-Final Rejection
02-27-2004 Non-Final Rejection
01-06-2004 Date Forwarded to Examiner
12-22-2003 Response after Non-Final Action
12-22-2003 Request for Extension of Time - Granted
12-22-2003 Information Disclosure Statement (IDS) Filed
12-22-2003 Information Disclosure Statement (IDS) Filed
06-18-2003 Mail Non-Final Rejection
06-15-2003 Non-Final Rejection
05-27-2003 Case Docketed to Examiner in GAU
10-24-2001 Case Docketed to Examiner in GAU
10-01-2001 Application Dispatched from OIPE
09-28-2001 Application Is Now Complete
09-28-2001 Application Is Now Complete
06-25-2001 Notice Mailed--Application Incomplete--Filing Date Assigned
06-22-2001 Correspondence Address Change
05-10-2001 IFW Scan & PACR Auto Security Review
04-27-2001 Initial Exam Team nn

[Close Window](#)